

REMARKS

Pursuant to the Examiner's requirement for restriction under 35 U.S.C. 121 and 372, Applicants elect the claims in Group I for further prosecution. This election is made with traverse.

Further, with respect to the request for the election of species, Applicants elect, with traverse, the peptides with SEQ ID NOS 15, 16, 17 and 18.

Applicants respectfully submit that the subject application is the National Phase of a PCT Application where lack of unity objections have not been raised. In fact, the unitary inventive concept of the invention is that BAG-3 specific reagents can be selected and may be used to modulate apoptosis in situations where only BAG-3 is involved.

This BAG-3 specific region is in the C-terminal region (a common structural region to all peptides) of the protein toward which antibodies against peptides with SEQ ID NO 15-18 have been raised (see page 12, from line 19 to line 28)

Moreover, according to MPEP 1850, the USPTO has considered that a group of up to 4 independent sequences is still considered a reasonable number for a search, even in the absence of any relationship among them. Therefore, according to the above MPEP section, peptides of SEQ ID NO 15-18 are searchable without undue effort.


An amended set of claims is herein presented. Claims 30-33, 46, 53 and 62 have been amended. Claims 34, 39-45 and 54-61 have been withdrawn.

The Applicant reserves the right to file divisional Applications to the non-elected subject matter.

Applicants submit that claims 30-33, 35-38, 46-53 and 62 refer to the invention of Group I, and now read on the elected group.

Please charge any fees which may be due which have not been submitted herewith to our
Deposit Account No. 01-0035.

Respectfully submitted,


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